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Attorneys for Plaintiff  
F. RODGERS CORPORATION, a California Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA FOR THE USE AND BENEFIT OF F. RODGERS CORPORATION, a California Corporation	)	<b>CASE NO. 3:08-cv-02676 MHP</b>
	)	
Plaintiff,	)	<b>STIPULATION RE STAY OF</b>
	)	<b>PROCEEDINGS AND <del>PROPOSED</del></b>
	)	<b>ORDER</b>
v.	)	
	)	
WESTERN SURETY COMPANY,	)	
	)	
Defendant.	)	

Use-plaintiff F. RODGERS CORPORATION, a California Corporation, and defendant  
WESTERN SURETY COMPANY, through their respective counsel, hereby stipulate as follows:

WHEREAS, on or about May 28, 2008, plaintiff filed the instant action in the United States  
District Court, Northern District of California;

WHEREAS, on or about April 9, 2008, in accordance with the provisions of a written  
contract between plaintiff and Taber Construction, Inc., plaintiff submitted a Demand for Arbitration  
to the American Arbitration Association;

WHEREAS, the outcome of the arbitration will affect the rights of the parties in the present  
action;

WHEREAS, the parties desire to avoid unnecessary expense, duplication of effort and waste  
of judicial resources:

1 NOW THEREFORE, use-plaintiff F. RODGERS CORPORATION, a California  
2 Corporation, and defendant WESTERN SURETY COMPANY stipulate and agree as follows:

3 1 The present action shall be stayed pending completion of the American Arbitration  
4 Association Case No. 74110 Y 00381 08 WYGI, F. Rodgers Corporation v. Taber Construction, Inc.

5 DATED: 6-18-08

HUDDLESTON LAW GROUP

6  
7 By 

8 JOANNE PRESKY, ESQ.  
9 Attorney for Plaintiff F. RODGERS  
10 CORPORATION

11 DATED: 6-17-08

McINERNEY & DILLON

12  
13 By 

14 WILLIAM H. McINERNEY, JR., ESQ.  
15 Attorney for Defendant WESTERN SURETY  
16 COMPANY

17 IT IS SO ORDERED

18  
19 DATED: 6/19/2008



**CERTIFICATION OF SERVICE BY MAIL**

I declare that I am employed in the County of Contra Costa, California. I am over the age of 18 years, and not a party to the within cause; my business address is the Huddleston Law Group, 500 Ygnacio Valley Road, Suite 300, Walnut Creek, California 94596.

On June 18, 2008, I served the following document(s):

**STIPULATION RE STAY OF PROCEEDINGS AND [PROPOSED] ORDER**

by placing a true and copy thereof enclosed in a sealed envelope, postage fully prepaid in the ordinary course of business, for collection and mailing that same day at the Huddleston Law Group, 500 Ygnacio Valley Road, Suite 300, Walnut Creek, California, addressed as follows:

William H. McInerney, Jr.  
**McINERNEY & DILLON**  
1999 Harrison Street, Suite 1700  
Oakland, CA 94612-4700  
Tel: (510) 465-1700  
Fax: (510) 465-8556

**Attorney for Respondent**  
**WESTERN SURETY COMPANY**

I declare that I am readily familiar with the business practice of the Huddleston Law Group for collection and processing of correspondence for mailing with the United States Postal Service and that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Proof of Service by Mail was executed on June 18, 2008, at Walnut Creek, California.



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MICHELE HINTON